

REMARKS

By this Amendment, claims 3-5 are amended, and claims 1 and 2 are canceled. New claims 8 and 9 are added. Accordingly, claims 3-9 are pending in this application. No new matter is presented in this Amendment.

The Office Action rejects claims 3, 6 and 7 under 35 U.S.C. §103(a) over Japanese Patent Abstract No. 09238653. This rejection is respectfully traversed.

Independent claim 3 has been amended to recite a method of producing a meat product or a processed meat product coated with a film of curdlan gel by applying a first coating of an alkaline aqueous solution of curdlan, followed by exposing the first coating to a second, non-curdlan coating, the second coating being configured to complete gelling of the curdlan comprising the first coating. The Office Action asserts that Japanese Abstract 09238653 discloses a method, such as recited in claim 3. Applicants respectfully disagree.

Japanese Abstract 09238653 only discloses adding an aqueous alkali solution containing curdlan to a raw material for a processed edible meat. Japanese Abstract 09238653 fails to disclose, teach or suggest a two step method wherein the first step of applying the first coating of an alkaline aqueous solution of curdlan onto the meat product and the second step of applying a coating of a non-curdlan solution to the first coating, whereby the second coating is configured to complete gelling of the curdlan comprising the first coating.

Applicants respectfully submit therefore, that the first step is different and that the one step method disclosed by the applied art fails to disclose the two step method, as recited in claim 3. More specifically, Japanese Abstract 09238653 fails to disclose applying the first coating of curdlan onto the meat product, and the second non-curdlan coating, as recited in claim 3. Indeed, the applied art discloses mixing the alkali solution with curdlan to the raw material, while claim 3 recites that the second coating is applied to the first coat.

Accordingly, since Japanese Abstract 09238653 fails to disclose, teach or suggest each and every feature recited in independent claim 3, the rejection of claim 3 under 35 U.S.C. §103(a) is improper. Applicants respectfully submit, therefore, that independent claim 3 is patentable over the applied art.

The Office Action rejects claims 4 and 5 under 35 U.S.C. §103(a) over Japanese Patent Abstract No. 09238653 and further in view of Japanese Patent No. 03172145 to Nakao and U.S. Patent No. 4,946,700 to Taguchi et al. ("Taguchi"). This rejection is respectfully traversed.

Independent claims 4 and 5 have been amended to more clearly recite methods comprising the application of two distinct coatings and three distinct coatings, claims 4 and 5, respectively.

Claim 4 recites a first step of applying a coating of an alkaline aqueous solution of curdlan, followed by a second step wherein the alkaline curdlan coating is exposed to an acid to neutralize the alkalinity of the first coating, thereby completing the curdlan gel.

Claim 5, although similar to claim 4, includes an intermediary step of exposing the alkaline curdlan coating to an aqueous solution of any one of an alkali metal salt and an alkaline earth metal salt before applying the neutralizing acid. The Office Action asserts that Japanese Abstract 09238653 in view of Nakao and Taguchi discloses methods, such as recited in claims 4 and 5. Applicants respectfully disagree.

As argued above relative to claim 3, Japanese Abstract 09238653 disclosed only a single step process of mixing the curdlan to the meat. Similarly, Nakao and Taguchi disclose only a single step method and fail to disclose, teach and suggest a multi-step method, as recited in claims 4 and 5.

Furthermore, although Taguchi discloses acid gelling is an alternative to heat gelling, Taguchi, at column 1, lines 42-56, explicitly teaches away from acid gelling in the context of food production, stating that "...since these prior art methods are invariably predicated on the basic technical concept of dissolving curdlan with the aid of an alkali and, then, causing it to gel with an acid, it is difficult to incorporate subsidiary food components or condiments in the course of food production so that the resulting gels cannot easily be adapted to food use."

Applicants respectfully submit that claims 4 and 5 are patentable not only due to the failure of the applied art to disclose, teach or motivate all recited features of the claims, but are also patentable based upon the explicit teaching away of one of the recited features.

Original claims 6 and 7, as well as new claim 8 depend from independent claims 3-5 and are likewise patentable over the applied art for at least their dependence on an allowable base claim, as well as for the additional features they recite.

Further, new claim 9 clearly recites the steps of preparing the meat product or processed meat product, applying an alkaline aqueous solution of curdlan onto the meat product or processed meat product to form a film of curdlan gel onto the meat product or processed meat product, and applying, onto the meat produce or processed meat product with the film of the curdlan gel, an aqueous solution of any one of an alkali metal salt, an alkaline earth metal salt and acid to complete the film of the curdlan gel. Claim 9 is not disclosed or suggested by the references cited in the

Action.

Accordingly, withdrawal of the rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 3-9 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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